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6.2 LAND USE

In accordance with the California Energy Commission (CEC) regulations, this section inventories existing land uses in the vicinity of the Project and discusses the potential land use impacts associated with the Project. Land uses are described within 1 mile of the Project Site. The local, state, and federal jurisdictions potentially affected by the Project are identified, as are their respective plans, policies, laws, and regulations (including zoning), and potentially sensitive land uses. Planned development and land use trends in the area of the Project Site are identified based on currently available development plans. Reasonably foreseeable future development projects within the affected area are noted, and the potential land use impacts associated with the Project are assessed. The conformance of the Project with local plans and regulations and the compatibility of the Project with general land uses in the area are evaluated. Where appropriate, mitigation measures are proposed to reduce potential project-related land use impacts to acceptable levels.

Land use issues for the Project Site have been identified and evaluated with onsite reconnaissance surveys, a review of current U.S. Geological Survey (USGS) 7.5-minute topographic quadrangle maps, aerial photography, a review of local land use ordinances, and review of the land use goals and policies identified in the Imperial County General Plan, Niland Urban Area Plan, and associated maps, which are cited throughout this section (Imperial County Planning and Development Services 2005).

Land uses are controlled and regulated using a complex system of plans, policies, goals, and ordinances adopted by the various jurisdictions with authority over land uses in the area of the Project. The General Plan is the broadest in scope of the planning documents; it defines large-scale planned development patterns over a relatively long time frame. The Imperial County Zoning Ordinance is the primary tool for achieving the objectives of the General Plan. The Zoning Ordinance provides detailed specifications for allowable development (e.g., density, lot size, height, setback, etc.). Other regulations governing development include grading and subdivision ordinances and building codes.

6.2.1 Affected Environment

The affected environment of a project is defined by the CEC as the study area boundary. For the Project, the affected environment includes, but is not limited to, the territory within 1 mile of the Project Site. General Plan designations are shown in Figure 6.2-2, Existing Land Use and Sensitive Uses Map. The regional setting is discussed in Section 6.2.1.1. Governmental jurisdictions within the affected environment include Imperial County, the Town of Niland, and the state of California. Figure 6.2-1, Governmental Jurisdictional Boundaries Map, shows the jurisdictional boundaries, including the Niland Urban Area boundary.

Figure 6.2-2, Existing Land Use and Sensitive Uses Map, identifies both existing land uses and potentially sensitive land uses in the affected environment. Potentially sensitive land uses include recreational and religious sites, agricultural areas, schools, churches, health care facilities, parks, commercial and residential areas, airports and landing strips, and radar sites. Sensitive land uses can also include cultural and historical sites as well as natural scenic areas. See Section 6.4, Cultural Resources, and Section 6.11, Visual Resources, for assessments of these environmental areas. Table 6.2-1, Existing Land Uses and Planning Designations within

the Affected Area, summarizes the land uses identified in Figure 6.2-2, Existing Land Use and Sensitive Uses Map, within a 1-mile buffer from the Project Site.

**TABLE 6.2-1
EXISTING LAND USES AND PLANNING DESIGNATIONS
WITHIN THE AFFECTED AREA**

Area	Location	Existing Land Use	Zoning
Project Site	Imperial County	vacant	Manufacturing Light Industrial
Property (northern portion)	Imperial County	vacant	Limited Agriculture Urban
Property (southern portion)	Imperial County	Niland Substation	Manufacturing Light Industrial
Project Vicinity	Imperial County (Includes Niland)	Light/Medium Industry	Manufacturing Light Industrial Urban
		Light Industry	Manufacturing Light Industrial
		Low Density Residential	Limited Agriculture
		Agriculture	Limited Agriculture Urban
		Medium Agriculture	General Agriculture Urban
		Agriculture	General Agriculture
		Open Space	General Agriculture
		Agriculture	General Agriculture Geothermal Overlay Zone
		Residential	Residential Low-Density
		Residential	Residential Medium-Density
		Residential	Residential High-Density
		Residential	Residential High Density/Mobile Home Park Urban
		Commercial	General Commercial
		Commercial	Light Commercial
		Commercial	General Commercial Urban
		Open Space	Government/Special Public Zone
		Industrial	Open Space/Recreation
		Agriculture	Open Space/ Preservation

Sources: Imperial County Planning and Development Services, General Plan (2003); Imperial County Zoning Ordinance (2005).

Section 6.10, Agriculture and Soils, describes the proximity of prime or unique farmland, as designated by the Natural Resources Conservation District. It also addresses farmlands of statewide importance, as designated by the California Department of Conservation, and any potential project-related impacts on such lands. Land ownership patterns are discussed only with respect to the Property in accordance with the CEC Guidelines. A list of landowners within the affected area is provided in Appendix G, Landowners within 1,000 feet of the IID Property.

6.2.1.1 Regional Setting

The Project Site is located in unincorporated Imperial County, within the Niland Urban Area. Imperial County is located in the southeast corner of California. Imperial County extends more than 4,597 square miles, bordering Riverside County to the north, San Diego County to the west, the Colorado River to the east (which forms the Arizona boundary), and on the south by 84 miles of the international boundary with the Republic of Mexico. The Town of Niland is located in northeast Imperial County. Northeast Imperial County, which comprises the cities of Brawley, Calipatria, Westmoreland, and associated unincorporated areas, is characterized by rural agriculture area and open space. This area is primarily low density due to the existing agricultural uses.

Future Population Growth Trends

According to the Southern California Association of Governments (SCAG), the population composition of Imperial County is expected to change dramatically over the next two decades. The total population is projected to increase roughly 60 percent (165,432 people in 2005 to a total of 269,874 in 2030) (SCAG 2005). There are a number of potential factors that may support an accelerated population growth in the near future. These factors include: growth of the geothermal industry in the county; additional prisons; an additional USA/Mexico border crossing; the possible expansion of the U.S. Naval Air Facility; and a possible regional airport (Imperial County Planning and Development Services 2003).

Minority Population

Minority Populations and Populations Living Below Poverty Level by Census Tract within the 6-Mile Radius of the Project, shows that census tracts 101 and 124 in Imperial County fall within a 6-mile radius of the Project Site. Census tract 124 is 25 percent minority and therefore falls below the threshold of 50 percent, and is not identified as a “minority” census tract or community. Census tract 101 is 74 percent minority and is therefore identified as a “minority” census tract. The percentages of the populations that live below poverty are less than 50 percent and on par with the county as a whole, at 23 percent for census tract 101 and 22 percent for census tract 124. (U.S Census 2005). Refer to Section 6.12, Socioeconomic Resources, for a detailed discussion on potential impacts to minority populations.

Projected New Development Activities

According to Imperial County Planning and Development Services, several projects, which include 37,766 residential units, ten commercial projects and six industrial projects are proposed for Imperial County (Imperial County Planning and Development Services 2005), although none of the projects are within the affected environment of the Project (Cabanilla 2005). In the Town of Niland, two residential projects, which include 244 residential units, are proposed for construction in 2007. None of the projects proposed for the Town of Niland are within 1 mile of the Project (Cabanilla 2005).

Zoning Trends

The Project is located within unincorporated Imperial County. Trends in recent zoning changes in Imperial County indicate increased urbanization of agricultural lands. Prior to the county's adoption of the General Plan, there were nine adopted current Land Use Plans: Bard/Winterhaven, Brawley, Calexico, El Centro, Herber, Holtville, Palo Verde, Seeley, and Yuma Desert. For urbanizing areas surrounding incorporated cities, the existing current Land Use Plan duplicated the land use planning efforts of the cities and, at times, conflicted with them. Imperial County Land Use Element amends and updates the current Ultimate Land Use Plan adopted on June 25, 1973. Implementation of this General Plan update is intended to include zone reclassification studies for areas adjacent to cities, which will be based on the adopted Land Use Plan of each city. County zoning would be changed to reflect residential densities and land use intensities which are at or below that which would be permitted by the city Land Use Plan (Imperial County General Plan 2003). Current zoning trends do not indicate changes in zoning for the Project Site (Cabanilla 2005).

6.2.1.2 Existing and Proposed Land Uses

Existing land uses and zoning designations for the Property and the Project Site are listed in Table 6.2-1, Existing Land Uses and Planning Designations within the Affected Area, and explained in detail below. Figure 6.2-2, Existing Land Use and Sensitive Uses Map, shows existing land uses within 1 mile of the Project Site. The Project Site is located north of Beal Road and just east of the Niland Substation. This Property containing the Project Site is surrounded by agricultural uses to the north and east and industrial uses to the south. Beal Road borders the Property on the south. According to the Imperial County General Plan, the Project and is within a land use area designated for Manufacturing Light Industrial Use. No agricultural activities currently occur on the Project Site. Construction activities are limited to the southwest portion of the Property. The total disturbed area of the Project, including temporary construction areas, will be approximately 26 acres, with a final Project area of approximately 22 acres. The Project will be located adjacent to the existing Niland Substation within the southern portion of the Property. As a result, no land will be converted from agricultural production, nor will any prime farmlands be affected as a result of the Project.

The Salton Sea is located approximately 5 miles west of the Project Site. The Sonny Bono Wildlife Refuge is located approximately 8.5 miles southwest of the Project. Agricultural activity within the affected area is located west of the Project Site and east of Cuff Road. There are three residential units located off Cuff Road, east of the Project Site.

Trends in recent land use changes in Imperial County indicate increased urbanization of agricultural lands (Cabanilla 2005).

Potentially Sensitive Land Uses

Potentially sensitive land uses within the affected area include three residential units. The nearest residential uses are located approximately 1,560 feet east of the Project Site. These land uses are shown in Figure 6.2-2, Existing Land Use and Sensitive Uses Map. No other potentially sensitive land uses are located within the affected area.

Zoning

The Imperial County Zoning Ordinance consists of both text and maps that divide all unincorporated lands in Imperial County into specific zoning districts that specify allowable uses and development standards. Table 6.2-2, Zoning Designations within the Affected Environment, depicts the actual zoning designations for the Project and Project vicinity. Additional information for each zoning district is presented in Table 6.2-3, Zoning Districts within the Study Area. As shown in Figure 6.2-3, Zoning Map, the Property is zoned Manufacturing Light Industry “M1U or M-1” in the southern portion, and Agriculture “A2” in the northern portion (see Table 6.2-4, Land Use Plans, Goals, and Objectives Related to the Project). Zone designations that include the letter “U” designate zones within an Urban Area; otherwise, the zoning definition remains the same. The Project will be confined to the southwest portion of the Property within Manufacturing Light Industrial. The development of “major facilities relating to the generation...of electrical energy” (Title 9, Chapter 15, Section 90515.02) is an allowable use in areas zoned Manufacturing Light Industrial with a conditional use permit (CUP). Refer to Table 6.2-3 for zoning descriptions within the affected area.

**TABLE 6.2-2
ZONING DESIGNATIONS WITHIN THE AFFECTED ENVIRONMENT**

Area	Zoning District
Project – Imperial County	Manufacturing Light Industrial
Project Vicinity – Imperial County including Townsite of Niland	Manufacturing Light Industrial
	Manufacturing Light Industrial Urban
	Limited Agriculture Urban
	General Agriculture
	General Agriculture Geothermal Overlay Zone
	General Agriculture Urban
	Residential Low-Density
	Residential Medium-Density
	Residential High Density and Mobile Home Park
	Residential High Density and Mobile Home Park Urban
	General Commercial
	General Commercial Urban
Project Vicinity – Imperial County including Town of Niland	Light Commercial
	Government/Special Public Zone
	Open Space/Recreational
	Open Space/Preservation

Sources: Imperial County Planning and Development Services, General Plan (2003); Townsite of Niland Urban Area Plan (1996).

**TABLE 6.2-3
ZONING DISTRICTS WITHIN THE STUDY AREA**

Zoning District	Description
Manufacturing Light Industrial (M-1)	<p>The M-1 zone designates areas for wholesale commercial, storage, trucking, assembly type manufacturing and other similar light industrial uses. Processing or fabrication is limited to activities conducted entirely within a building that does not emit fumes, odor, dust, smoke or natural gas beyond the confines of the building within which the activity occurs, or produces significant levels of noise or vibration beyond the perimeter of the building.</p> <p>The following uses and all others deemed to be similar shall be allowed, subject to securing a conditional use permit:</p> <p>Major facilities relating to the generation and transmission of electrical energy, provided such facilities are not under state or federal law to be approved exclusively by an agency or agencies of the state and/or federal governments and provided that such facilities shall be approved subsequent to coordination and review with the Imperial irrigation district for electrical matters. Such uses include:</p> <p>Electrical generation plants (less than 50 MW); facilities for the transmission of electrical energy (100-200 kV); electrical substations in an electrical transmission system (500 kV/230 kV/161 kV).</p> <p>The minimum lot size requirement is 10,000 square feet. The front yard minimum setback for all buildings shall be as follows: 10 feet from the property line or public right-of-way line. Zero feet if approved by the planning director with the written concurrence from public works department and the fire marshal. Buildings and structures in the M-1 district shall not exceed 6 stories or 80 feet. Landscaping shall be provided.</p>
Limited Agriculture (A-1U)	<p>The purpose of the A-1 designation is to designate areas and allow uses that are suitable for larger residential living environments. The uses are generally limited to those typical of and compatible with quiet residential neighborhoods. The minimum lot size shall be one-half acre (net), unless required to be larger by other regulatory requirements. The front yard minimum setback for all buildings shall be 25 feet from the edge of right-of-way, or 60 feet from the legal centerline of any existing or proposed county road. There shall be a side yard on each side of any building of not less than 5 feet, except that on the street-side of a corner lot, the building shall be setback at least 15 feet from the edge of right-of-way/property line. There shall be a rear yard set back of not less than 5 feet, except in the case of a through lot; the designated rear yard shall be equal to the front yard setback. Residential buildings shall not exceed 3 stories or 40 feet. Detached accessory structures shall not exceed 2 stories or 30 feet. Radio and television antennae, chimneys, and other similar structures shall not exceed 60 feet.</p>
General Agriculture (A-2)	<p>The purpose of the A-2 (general agriculture), (40 acre minimum) zone is to designate areas that are suitable and intended primarily for agricultural uses (limited) and agricultural-related compatible uses. There shall be no more than one principal single-family dwelling per legal lot in the A-2 zone. There shall be a minimum of 1 acre per dwelling unit. There shall be a minimum of 30,000 square feet for any additional dwelling unit that may be allowed. The minimum front yard setback for all buildings within the A-2 zone shall be 30 feet from the front yard property line or edge of public right-of-way; and a side yard on each side of any building of not less than</p>

**TABLE 6.2-3
ZONING DISTRICTS WITHIN THE STUDY AREA**

Zoning District	Description
General Agriculture Geothermal Overlay Zone (A-2G)	<p>5 feet. There shall be a rear yard setback of not less 10 feet for all structures. Nonresidential structures and commercial communication towers shall not exceed 120 feet in height, and shall meet Airport Land Use Compatibility (ALUC) Plan requirements.</p> <p>The purpose of the A-2 (general agriculture), (40 acre minimum) zone is to designate areas that are suitable and intended primarily for agricultural uses (limited) and agricultural-related compatible uses. There shall be no more than one principal single-family dwelling per legal lot in the A-2 zone. There shall be a minimum of 1 acre per dwelling unit. There shall be a minimum of 30,000 square feet for any additional dwelling unit that may be allowed. The minimum front yard setback for all buildings within the A-2 zone shall be 30 feet from the front yard property line or edge of public right-of-way; and a side yard on each side of any building of not less than 5 feet. There shall be a rear yard setback of not less than 10 feet for all structures. Nonresidential structures and commercial communication towers shall not exceed 120 feet in height, and shall meet ALUC Plan requirements.</p> <p>Geothermal Overlay Zone (G) permits minor geothermal projects and wells; and, by Conditional Use Permit, allows major and intermediate geothermal projects, geothermal test facilities, and major geothermal exploratory wells.</p>
Residential Low-Density (R-1)	<p>The purpose of the low-density residential zone is to designate areas that are and will be suitable for traditional smaller lot(s) with single-family homes and related compatible or accessory uses. Typically, the R-1 zones are to be characterized by single-family residential subdivisions. The maximum density for the R-1 zone shall not exceed 5 dwelling units per (net) acre, except that an increase for a density bonus consideration. No new R-1 development shall be allowed unless full infrastructure, which at a minimum shall include sewer, water treatment, and streets meeting county standards is provided.</p>
Residential Medium-Density (R-2)	<p>The purpose of the medium-density R-2 zone is to designate and establish standards for single-family and duplex, residential uses. This zone is typified with single-family and duplex structures. The density shall not exceed 10 dwelling units per net acre. Although duplex structures typify this zone, other innovative housing techniques including clustering, zero lot line and garden housing unit, may be permitted. No new R-2 development shall be allowed unless full infrastructure, which at a minimum shall include sewer, water treatment, and streets meeting county standards, is provided.</p>
Residential High-Density/Mobile Home Park (R-4)	<p>The purpose of the high-density residential and mobile home park/subdivision zone is to allow for areas that are suitable for extremely high-density residential environments and mobile home (manufactured home) residential living environments and regulate development within these areas to be in compliance with California Code of Regulations. No portion of any lot within the R-4 zone shall be less than 6,000 square feet. There shall be no more than 1 dwelling unit per legal lot. Buildings and structures shall not exceed 2 stories or 30 feet, whichever is less. The front yard minimum setback for all structures shall be 20 feet from the property line. There shall be a side yard on each side of the property or main building of not less than 5 feet and not less than 10 feet on the other side. Twenty-foot minimum for all primary structures apply on lots that do not have an alley.</p>

**TABLE 6.2-3
ZONING DISTRICTS WITHIN THE STUDY AREA**

Zoning District	Description
Light Commercial (C-1)	<p>The purpose of the light commercial zone is to designate areas for low-density commercial activities that are oriented to serving and are compatible with nearby residential areas. The C-1 zone may also be combined with the combination use MP zone (multi-purpose overlay) to achieve innovative unique and inventive office or commercial development. The C-1 zone typically includes small retail service-oriented commercial activities. The C-1 zones are generally located in residential neighborhoods along major or secondary highways. No lot, parcel or portion thereof within the C-1 zone shall be less than 8,000 square feet net. There shall be a minimum of 1,500 square feet of lot area per dwelling unit.</p> <p>The following yard and setback requirements apply: 10 feet from front yard property line or right-of-way of public street or easement; zero feet from property line or right-of-way line upon the approval of a full site plan review by public works, fire/OES, and planning/building. There are no setback requirements for side yards. Rear yard shall be a minimum of 20 feet, except for lots that have public alley access.</p>
General Commercial (C-2)	<p>The purpose of the C-2 zone is to designate areas for a wide range of retail, commercial activities, including shopping centers, and other medium to high-density commercial uses. The C-2 zones are generally located along major highways or collectors. No portion of any lot within the C-2 zone shall contain less than 20,000 square feet. A minimum of 1,500 square feet of lot area per dwelling unit in addition to the base of 20,000 square feet, including dwelling units that are permitted by conditional use permit. The following yard and setback requirements apply in the C-2 zone. There are no front yard or side yard setbacks. The rear yard shall not be less than 20 feet. Building and/or structures shall not exceed 6 stories or 75 feet, whichever is less.</p>
Government/Special Public Zone (G/S)	<p>The purpose of the G/S zone is to designate areas that allow for the construction, development, and operation of governmental facilities and special public facilities; primarily this zone allows for all types of government owned and/or government operated facilities. It also allows for special public uses such as security facilities, jails, solid and/or hazardous waste facilities and other similar special public benefit uses. The minimal lot size of the G/S zone is 20,000 square feet. Dwelling units are not permitted in the G/S zone except as ancillary facilities such as caretakers or security facilities; therefore, no minimum lot area per dwelling unit is required. There are no requirements for yards and setbacks. Buildings or structures in the G/S zone shall not exceed 6 stories or 80 feet, except communication towers, which can be 100 feet.</p>
Open Space/Recreation (S-1)	<p>The purpose of the S-1 zone is to designate areas that recognize the unique open space and recreational character of Imperial County including the deserts, mountains, and waterfront areas. Primarily, the S-1 zone is characterized by low-intensity human utilization and small-scale recreation-related uses. Any new subdivision in the S-1 zone will require all necessary infrastructure, including potable water, sewer, and roads to county standards. The minimum lot size for the S-1 zone is 1 acre and any parcel existing at less than 1 acre at the adoption of the ordinance codified in this title shall be deemed a legal parcel. The front yard minimum setback for all buildings shall be 25 feet from the edge of right-of-way or property line or</p>

**TABLE 6.2-3
ZONING DISTRICTS WITHIN THE STUDY AREA**

Zoning District	Description
Open Space/Preservation (S-2)	<p>80 feet from centerline or adjacent street, whichever is greater. The side yard and rear yard minimum is 10 feet.</p> <p>The S-2 zone is considered to be the open space preservation zone. The primary intent here is to preserve the cultural, biological, and open space areas that are rich and natural as well as cultural resources. The S-2 zone is dominated by native desert habitat and stark topographic features. Although certain uses are allowed within the S-2 zone, such uses must be compatible with the intent of the open space and conservation element of the General Plan. The minimal lot size of the S-2 zone is 20 acres (net). There shall be a minimum of 1 acre (net) of lot area per dwelling unit. The front yard minimum setback for all buildings shall be 30 feet minimum from property line or 80 feet from centerline of adjacent road. The minimum requirement for side yard and rear yards is 20 feet minimum.</p>

Source: Imperial County Zoning Ordinance (2005).

Notes:

The land use designations identified have been summarized, and only those designations directly affected by the Project are discussed. Zone designations that include the letter “u” designate zones within an Urban Area; otherwise, the zoning definition remains the same.

**TABLE 6.2-4
LAND USE PLANS, GOALS, AND OBJECTIVES RELATED
TO THE PROJECT**

Authority Category	Objective
Imperial County General Plan: Land Use, Noise, Agriculture, Circulation, Public Safety, and Conservation Elements:	
Land Use	<p>Goal 1: Preserve commercial agriculture as a prime economic force.</p> <p>Encourage the continued agricultural use of prime/productive agricultural lands (Objective 1.1).</p> <p>Discourage the location of incompatible development adjacent to productive agricultural lands (Objective 1.2).</p> <p>Identify compatible agriculture-related uses appropriate for location in agricultural areas (Objective 1.3).</p> <p>Goal 2: Diversify employment and economic opportunities in the county while preserving agricultural activity.</p> <p>Continue to evaluate economic development strategies, including new industrial, commercial, and tourist-oriented land uses (Objective 2.3).</p> <p>Goal 3: Achieve balanced economic and residential growth while preserving the unique natural, scenic, and agricultural resources of Imperial County.</p> <p>Maintain and improve the quality of life, the protection of property and the public health, safety, and welfare in Imperial County (Objective 3.1).</p> <p>Recognize and coordinate planning activities as applicable with the Bureau of Land Management, and the California Desert Conservation Plan (Objective 3.6).</p>

**TABLE 6.2-4
LAND USE PLANS, GOALS, AND OBJECTIVES RELATED
TO THE PROJECT**

Authority Category	Objective
Noise	Utilize non-agricultural land as a resource to diversify employment opportunities and facilitate regional economic growth. Uses must be consistent with each site's resource constraints, the natural environment, and the County Conservation and Open Space Element (Objective 3.8).
	All zoning within the County of Imperial will be compatible with the General Plan (Objective 3.11).
	Goal 4: Preserve and enhance distinctive historic desert towns and newer communities.
	Maintain and require compatible land uses within the existing communities (Objective 4.3).
	Goal 6: Promote orderly industrial development with suitable and adequately distributed industrial land.
	Provide adequate space and land use classifications to meet current and projected economic needs for industrial development (Objective 6.1).
	Protect industrial zoned areas from incompatible adjacent land uses and from under-utilization by non-industrial uses (Objective 6.3).
	Goal 8: Coordinate local land use planning activities among all local jurisdictions and state and federal agencies.
	Ensure that all future proposed private and public facilities are adequate to meet expected population growth and the needed additional services around local cities (Objective 8.4).
	At a minimum, provide adequate sites for solid/liquids and hazardous waste facilities to meet the current and projected demands of the county population and be consistent with the county's Solid Waste and Hazardous Waste Management Plans (Objective 8.5).
Agriculture	Ensure that land uses adjacent to or near existing waste disposal or storage facilities are compatible with those facilities (Objective 8.6).
	Ensure that the development, improvement, timing, and location of community sewer, water, and drainage facilities will meet the needs of existing communities and new development.
	Ensure that the siting of future facilities for the transmission of electricity, natural gas, and telecommunications is compatible with the environment and county regulations (Objective 8.8).
	Require necessary public utility rights-of-way when appropriate (Objective 8.9).
Noise	Goal 1: Provide acceptable noise environment for existing and future residents in Imperial County. Normally acceptable noise levels for industrial uses are defined as 50-70 db, noise levels between 70-75 db are defined as conditionally acceptable, 75-80db is defined as normally unacceptable, and noise levels that exceed 80db are defined as clearly unacceptable (Imperial County Planning and Development Services 2003).
	Ensure that noise standards and policies are compatible with the standards and policies of other General Plan elements and other county agencies (Objective 1.2).
	Control noise levels at the source where feasible (Objective 1.3).
Agriculture	Goal 1: All important farmland, including categories of prime farmland, farmland of statewide importance, unique farmland, and farmland of local importance, as defined by federal and state agencies, should reserve for agricultural uses.

**TABLE 6.2-4
LAND USE PLANS, GOALS, AND OBJECTIVES RELATED
TO THE PROJECT**

Authority Category	Objective
Circulation	Maintain existing agriculture land uses outside of urbanizing areas and allow only those land uses in agricultural areas that are compatible with agriculture activities (Objective 1.1).
	Direct development to less valuable farmland (i.e., unique farmland and farmland of local importance rather than prime farmland or farmland of statewide importance) when conversion of agricultural land is justified (Objective 1.5).
	Allow conversion of agricultural land to non-agricultural uses only where a clear and immediate need can be demonstrated, based on population projections and lack of other available land (including land within incorporated cities) for such non-agricultural uses. Such conversion shall also be allowed only where such uses have been identified for non-agricultural use in a city general plan or the county General Plan, and are supported by a study to show lack of alternative sites (Objective 1.8).
	Preserve major areas of Class II and III soils, which are currently non-irrigated, but which offer significant potential when water is made available (Objective 1.9).
	Control and prevent soil erosion when possible (Objective 1.11).
	Goal 2: Adopt policies that prohibit “leapfrogging” or “checkerboard” patterns of non-agricultural development in agricultural areas and confine future urbanization to an adopted sphere of influence.
	Encourage in-filling of development in urban areas as an alternative to expanding urban boundaries (Objective 2.2).
	Maintain agricultural lands in parcel size configurations that help assure that viable farming units are retained (Objective 2.3).
	Discourage the development of new residential or other non-agricultural areas outside of city "spheres of influence" unless designated for non-agricultural use in the county General Plan, or for necessary public facilities (Objective 2.6).
	Goal 3: Limit the introduction of conflicting uses into farming areas, including residential development of existing parcels, which may create the potential for conflict with continued agricultural use of adjacent property.
	As a general rule, utilize transitional land uses around urban areas as buffers from agricultural uses. Such buffers may include rural residential uses, industrial uses, recreation areas, roads, canals, and open space areas (Objective 3.5).
	Where a development permit is sought adjacent to agricultural land use, protect agricultural operations by requiring appropriate buffer zones between agricultural land and new developments, and then keep these zones aesthetically pleasing and free of pests by cleaning them of all garbage and noxious vegetation. Vegetation for the purpose of dust control shall be planted and maintained in an attractive manner. The buffer shall occur on the parcel for which the development permit is sought and shall favor protection of the maximum amount of farmland (Objective 3.6).
	Goal 1: The county will provide an integrated transportation system for the safe and efficient movement of people and goods within and through the County of Imperial with minimum disruption to the environment.

**TABLE 6.2-4
LAND USE PLANS, GOALS, AND OBJECTIVES RELATED
TO THE PROJECT**

Authority Category	Objective
Public Safety	<p>Require a traffic analysis for any new development, which may have a significant impact on county roads. A traffic analysis may not be necessary in every situation, such as the size or location of the Project, and will not have a significant impact upon and will not change the existing level of service. Also, certain types of projects, due to the trip generation characteristics, may add virtually no traffic to the peak-hour traffic volumes. These types of projects may be exempt from the traffic analysis requirements (Objective 1.2).</p> <p>Goal 1: Include public health and safety considerations in land use planning.</p> <p>Ensure that environmental hazards are considered when siting critical facilities (Objective 1.6).</p> <p>Require developers to provide information related to geological and seismic hazards when siting a project (Objective 1.7).</p> <p>Goal 3: Protect the public from exposure to hazardous materials and waste.</p> <p>Discourage the transporting of hazardous materials/waste near or through residential areas and critical facilities (Objective 3.1).</p> <p>Discourage incompatible development adjacent to sites and facilities for the production, storage, disposal, and transport of hazardous materials/waste (Objective 3.3).</p>
Conservation	<p>Goal 1: Environmental resources shall be conserved for future generations by minimizing environmental impacts in all land use decisions.</p> <p>Recognize that the degradation of one natural resource will have a concomitant negative effect upon the total resource base, including water, vegetation, air, wildlife, soil, and minerals (Objective 1.1).</p> <p>Goal 2: The county will preserve the integrity, function, productivity, and a long-term viability of environmentally sensitive habitats, and plant and animal species.</p> <p>Protect significant fish, wildlife, plant species, and their habitats (Objective 2.2).</p> <p>Protect unique, rare, and endangered plants and animals and their habitats (Objective 2.3).</p> <p>Use the environmental impact report process to identify, conserve, and enhance unique vegetation and wildlife (Objective 2.4).</p> <p>Attempt to identify, reduce, and eliminate all forms of pollution that adversely impacts vegetation and wildlife (Objective 2.6).</p> <p>Adopt noise standards that protect sensitive noise receptors from adverse impacts (Objective 2.8).</p> <p>Goal 6: The county shall seek to achieve maximum conservation practices and maximum development of renewable alternative sources of energy.</p> <p>Define and assure adequate energy supplies for Imperial County (Objective 6.1).</p>
Conservation	<p>Minimize the environmental impact of energy sources (Objective 6.4).</p> <p>Minimize the possibility of energy shortages and resulting hardships (Objective 6.5).</p> <p>Goal 9: The county shall actively seek to improve and maintain the quality of air in the region.</p>

**TABLE 6.2-4
LAND USE PLANS, GOALS, AND OBJECTIVES RELATED
TO THE PROJECT**

Authority Category	Objective
	<p>Ensure that all facilities shall comply with current federal and state requirements for attainment of air quality objectives (Objective 9.1).</p> <p>Cooperate with all federal and state agencies in the effort to attain air quality objectives (Objective 9.2).</p>
Niland Urban Area Plan: Noise, Safety, Agriculture, and Conservation	
Noise	<p>Goal 1: Provide an acceptable noise environment for existing and future residents in the Niland Urban Area. Normally acceptable noise levels for industrial uses are defined as 50-70 db, noise levels between 70-75 db are defined as conditionally acceptable, 75-80db is defined as normally unacceptable, and noise levels that exceed 80db are defined as clearly unacceptable Imperial County Planning and Development Services 2003).</p> <p>Adopt noise standards that protect sensitive noise receptors from adverse impacts (Objective 1.1).</p>
Safety	<p>Goal 1: Include public health and safety considerations in land use planning.</p> <p>Ensure that data on geological hazards are incorporated into the land use review process and future development processes (Objective 1.1).</p> <p>Reduce fire hazards by the design of new developments (Objective 1.2).</p>
Agriculture	<p>Goal 1: All important farmland, including the categories of prime farmland, farmland of statewide importance, unique farmland, and farmland of local importance as defined by federal and state agencies should be preserved for agricultural uses.</p> <p>Maintain existing agriculture land uses outside of the urban area and allow only those land uses in agricultural areas that are compatible with agricultural activities. (Objective 1.1).</p> <p>Conserve important farmland for continued farm-related (non-urban) use and development while ensuring its proper management land use (Objective 1.2).</p> <p>Discourage the location of development adjacent to productive agricultural lands (Objective 1.3).</p> <p>Allow conversion of agricultural land and non-agricultural uses only where a clear and immediate need can be demonstrated based on population projections and lack of other available land for such non-agricultural uses (Objective 1.4).</p> <p>Encourage in-filling of development in the urban area as an alternative to expanding urban boundaries (Objective 2.2).</p> <p>As a general rule, utilize transitional land uses around urban areas as buffers from agricultural uses. Such buffers may include rural residential uses, industrial uses, recreational uses, recreational areas, roads, canals, and open space areas (Objective 3.4).</p>
Conservation	<p>Goal 1: Environmental resources shall be conserved for future generations by minimizing environmental impacts in all land use decisions.</p> <p>Recognize that the degradation of one natural resource will have a concomitant negative effect upon the total resource base, including water, vegetation, air, wildlife, soil, and minerals (Objective 1.1).</p> <p>Goal 2: The county will preserve the integrity, function, productivity, and a long-term viability of environmentally sensitive habitats, and plant and animal species.</p>

**TABLE 6.2-4
LAND USE PLANS, GOALS, AND OBJECTIVES RELATED
TO THE PROJECT**

Authority Category	Objective
	Protect significant fish, wildlife, plant species, and their habitats (Objective 2.2).
	Protect unique, rare, and endangered plants and animals and their habitats (Objective 2.3).
	Use the environmental impact report process to identify, conserve, and enhance unique vegetation and wildlife (Objective 2.4).
	Attempt to identify, reduce, and eliminate all forms of pollution that adversely impacts vegetation and wildlife (Objective 2.5).
	Adopt noise standards that protect sensitive noise receptors from adverse impacts (Objective 2.6).
	Goal 3: The county shall seek to achieve maximum conservation practices and maximum development of renewable alternatives sources of energy.
	Define and assure adequate energy supplies for the Niland Urban Area (Objective 3.1).
	Minimize the possibility of energy shortages and resulting hardships (Objective 3.3).
	Encourage compatibility with national and state energy goals and urban plan goals (Objective 3.4).
	Support the Imperial Irrigation District's energy conservation programs (Objective 3.5).
	Goal 5: The county shall actively seek to improve and maintain the quality of air in the region.
	Cooperate with all federal and state agencies in the effort to attain air quality objectives (Objective 5.1).

Sources: Imperial County General Plan (2003); Niland Urban Area Plan (1996).

Ownership Patterns

Private land ownership is found within 1,000 feet of the IID Property. Names and addresses of landowners of property within 1,000 feet of the Property are listed in Appendix G, Landowners within 1,000 feet of the IID Property.

6.2.1.3 Land Use Plans and Policies

Applicable federal, state, and local land use plans and policies are discussed below.

Federal

Although not applicable here, the BLM, California Desert Conservation Area (CDCA) Plan, amended March 1999, addresses the use of public lands in the southeast desert region. It balances the environmental, cultural, and aesthetic values of the desert and its productivity.

State

No applicable state land use plans or policies are identified.

County and Regional

Imperial County General Plan: The Imperial County General Plan includes goals, policies, and implementation programs that represent the hopes and concerns of residents in terms of defining and preserving a “quality of life” into the future (Imperial County Planning and Development Services 2003). The Imperial County General Plan has nine elements entitled: land use, housing, circulation and scenic highways, noise, seismic and public safety, conservation and open space, agriculture, geothermal and transmission, and water. Each element contains goals, policies, and implementation measures pertinent to proposed development. These policies are summarized in Table 6.2-4, Land Use Plans, Goals, and Objectives Related to the Project. Zoning, subdivision approvals, and other regulations and actions must be consistent with the Imperial County General Plan.

Niland Urban Area Plan: The Project Site is within the Niland Urban Area boundary; thus, the Niland Urban Area Plan is also relevant to the Project. The Niland Urban Area Plan consists of seven elements: housing, circulation, noise, safety, agriculture, conservation, and water. Objectives pertinent to proposed development are summarized in Table 6.2-4, Land Use Plans, Goals, and Objectives Related to the Project.

The Imperial County General Plan identifies county-level goals and objectives regarding industrial development. The energy facility will conform to the goals and objectives listed above. The Project is also within the Niland Urban Area. Any land use activities within the Niland Urban Area must also be consistent with Niland Urban Area Plan. IID will be seeking a General Plan update to the Niland Urban Area Plan to meet County requirements. The County is requesting this update to ensure the plan includes the most recent land use changes.

The County General Plan land use designations within the affected environment are summarized in Table 6.2-5, Imperial County General Plan Land Use Designations. The General Plan divides all land in Imperial County into specific land use designations.

**TABLE 6.2-5
IMPERIAL COUNTY GENERAL PLAN LAND USE DESIGNATIONS**

Land Use Designations	Definition
Imperial County	
Light Industry	Refers to industrial plants, and storage, distribution, and administrative facilities, for uses engaged in manufacturing, compounding, processing, assembling, packaging, treatment, or fabrication of materials and products within an enclosed building. Implementing zoning may restrict use of certain products, processes, or manufacturing equipment due to external effects such as noise, odors, smoke, or dust. Uses that involve compounding of radioactive materials, manufacturing of certain hazardous gases or chemicals, petroleum refining or large petroleum storage facilities, or manufacturing of explosives would not be permitted.
Medium Industry	Refers to industrial plants, and storage, distribution, and administrative facilities, as described above, including uses conducted outside of an enclosed building. Implementing zoning may restrict the use of certain products, processes, or manufacturing equipment due to external effects such as noise, odors, smoke, or dust. Uses that involve compounding of radioactive materials, manufacturing of certain hazardous gases or chemicals, petroleum refining or large petroleum storage facilities, or manufacturing of explosives would not be permitted.

**TABLE 6.2-5
IMPERIAL COUNTY GENERAL PLAN LAND USE DESIGNATIONS**

Land Use Designations	Definition
Light Agriculture	Include agricultural crop production such as field, forage, tree groves, vines, and other plant crops intended to provide food or fiber, as well as flowers and field or container plants including ornamental, landscape, agricultural, and native plants. Animal-keeping, including aquaculture (fish farms), would not be a primary use, but may be allowed as a secondary or incidental use to be regulated by implementing zoning as to types of animals, numbers of animals per acre, minimum lot size for animal-keeping, or setbacks from property lines for animal enclosures.
Medium Agriculture	Includes all agricultural crop production described above and permits animal-keeping, including aquaculture, as a primary use. Implementing zoning may regulate types of animals, numbers of animals per acre, minimum lot size for animal keeping, or setbacks from property lines for animal enclosures. Incidental uses such as produce stands or onsite packing and processing of agricultural crops may be permitted with limitations by implementing zoning.
Neighborhood Commercial	Refers to commercial uses that provide for the sale of convenience goods, such as food, drugs and sundries, and personal services that meet daily needs of a local neighborhood trade area. A supermarket or convenience grocery store is usually a principal tenant. Offices, gasoline stations, eating and drinking establishments, and recycling collection facilities (not involving hazardous materials) are also permitted but may be limited or restricted by implementing zoning. Automobile painting and repair would not be permitted.
General Commercial	Refers to commercial uses as described above, as well as larger retail outlets including regional centers, home improvement stores, business and construction support services, personal and business storage facilities, commercial recreation, health clubs and spas, medical, financial, and other professional offices and facilities, hotels and motels, and automobile and equipment sales and services. Some of these uses may be restricted by location in certain zones, or by other limitations of implementing zoning. Agricultural and animal services may also be permitted subject to limitations of implementing zoning.
Residential Dwelling Unit	Refers to a single unit providing complete, independent living facilities, including permanent provisions for living, sleeping, eating, cooking, and sanitation, and having only one kitchen. A dwelling unit includes a single-family detached home (including manufactured homes), or each of the attached units in a duplex, apartment building, or residential condominium. Hotel and motel units are not dwelling units or residential uses. Lodging or boarding houses, and group living quarters are residential uses, which are regulated by zoning, but are not included as “dwelling units per acre.”
Residential Dwelling Units per acre	This is a statement of residential density, which, for the County of Imperial, would result in an approximate average population of 3.0 to 3.5 persons per dwelling unit allowed per acre. For purposes of the County General Plan, it shall mean dwelling units per gross acre and shall be determined for each separate and individually owned lot or parcel based on the gross area within the exterior boundary lines of a property. Existing public rights-of-way, railroad rights-of-way, and canals or drains shall be excluded from the gross area when calculating permitted dwelling units.
Government/Special Public	This designation indicates lands generally owned by public agencies, which are presently, and for the foreseeable future, used for a specific governmental purpose. This designation includes military bases and public parkland and may also be applied to airports, sewer and water facilities, cemeteries, and other public utilities and facilities.

**TABLE 6.2-5
IMPERIAL COUNTY GENERAL PLAN LAND USE DESIGNATIONS**

Land Use Designations	Definition
Recreation/Open Space	This category includes desert, mountain, and waterfront areas with the potential for development as public or private parks and recreation facilities in appropriate areas. Primarily, however, areas designated Recreation/Open Space are characterized by a low intensity of human utilization and include mountain areas, sand dunes, desert lands, and other open lands that are essentially unimproved and not predominantly used for agriculture. The majority of the land in this category is public land administered by the BLM and owned by either BLM or the U.S. Bureau of Reclamation.

Source: Imperial County General Plan (2003); Niland Urban Area Plan (1996).

The Project conforms to the Imperial County General Plan objectives regarding land use, noise, agriculture, circulation/scenic highways, public safety, and conservation/open space. The Project will be capable of remote start-up through communication links to the IID SOC. Therefore, only approximately two additional employees will be required to support the operation and/or maintenance of the Project. This would not result in or induce significant growth in northern Imperial County. The Project will be consistent with the county's objective encouraging in-filling of development in urban areas as an alternative to expanding urban boundaries. The Project will be located on IID Property with the existing Niland Substation and a communications tower. Although there is currently no landscaped buffer, the Project plans to comply with any landscaping standards required by Imperial County. This may be accomplished by providing landscaping of an equal value or benefit to an alternative location within the Town of Niland. The Project will provide several benefits for the citizens of Imperial and parts of Riverside counties by:

- Providing low cost, extremely flexible peaking generation capacity centrally located within the Imperial Irrigation District transmission system and able to serve IID customers.
- Provide additional internal generation within IID service area.
- Increase the overall efficiency of IID generation resources.

No new facilities would be required as a result of the Project other than the new natural gas lateral and new water line lateral.

Natural gas will be supplied to the Project via taps with two existing SCGC parallel natural gas transmission pipelines running north-south along the eastern boundary of the Property. The transmission pipelines will be tapped immediately north of the existing SCGC Niland regulating station. A buried natural gas lateral is routed west along the south side of Beal Road, turning north to a metering station located just outside the Project Site fence, along the east side of the Beal Road access to the Project. The natural gas lateral will be approximately 1,800 feet long.

Adequate water is available from GSWC, both in terms of quality and quantity. The minimal Project's water requirements will be supplied via an existing GSWC buried 12-inch potable water main that runs diagonally across primarily the northern half of the Property from the northeast to the southwest. The GSWC potable water main will be tapped for an 8-inch service connection and in the northwest corner of the southern portion of the Property. The buried 8-inch water supply lateral is approximately 700 feet long routed south along the Property

boundary, turning east to the meter and backflow preventer located in the northwest corner of the Project Site.

The Project will be designed to be consistent with applicable environmental protection standards and fire and building codes. The Project will also be consistent with applicable seismic and flood protection standards. See Section 6.5, Geologic Resources and Hazards, and Section 6.13, Water Resources, for detailed discussions.

6.2.2 Environmental Consequences

This section discusses the environmental consequences of the Project within 1 mile of the Project Site. The potential environmental consequences concern both the construction and operation of Project. To determine the impact significance criteria appropriate to this study, the following sources were consulted: the CEC and CEQA Guidelines.

The following criteria were used to determine whether significant project-related impacts might occur as a result of the Project:

- Conflict with the adopted environmental plans and goals of the community where a project is located.
- Displacement of a large number of people or the inducement of substantial population growth.
- Disruption or division of an established community.
- Conversion or impairment of prime agricultural land.
- Conflict with established recreational, educational, religious, or scientific uses of the area (State CEQA Guidelines, Appendix F, Cultural Resources Technical Report).

6.2.2.1 Construction-Related Impacts

Construction activities will take place in such a way as to minimize interference with adjacent agricultural and commercial activities along Beal Road. The size of the workforce onsite is expected to average 40 construction workers, peaking to approximately 60 workers.

Construction activities could potentially impact local roadways, increasing congestion along access routes to existing uses along Beal Road, including the unauthorized campground on the former Camp Dunlop Marine Base (locally referred to as “Slab City”). Construction activities could also increase the amount of noise, dust, and emissions in the area; however, industry-standard construction techniques will be used to muffle noise from construction equipment, reduce emissions where possible, and muffle noise generated by construction activities. Material and equipment staging areas will be required during the construction period to serve as base stations for employees, field office locations, and lay-down areas, as well as the storage of materials, equipment, and vehicles. The construction staging areas will be located on site, and the Town of Niland (approximately one-half mile southwest of the Project) may experience short-term impacts associated with facility construction, including visual disruption, increased noise and dust, and increased traffic and vehicle emissions due to Project equipment and vehicles using surrounding roadways. Overall, the land use impacts associated with the construction

activities will not be significant because they expand the use of an existing Niland Substation and are temporary (approximately 9 months).

6.2.2.2 Operations-Related Impacts

The Project is designed for an operating life of a minimum 30 years. Site improvements are limited to the southwest portion of the Property where the existing Niland Substation is located. The Project represents further development of a Property committed to energy-related uses rather than the introduction of industry to a non-industrial area. The operations of the plant are not expected to result in significant adverse impacts to surrounding land uses.

6.2.2.3 Compatibility with Existing and Proposed Land Uses

Generation production facilities are specifically listed as a compatible use in the M1U zone, subject to a CUP. IID will submit a CUP application to Imperial County Planning and Development Services.

Existing land uses in the vicinity of the Project Site consist of large acreage agricultural lands and agricultural-related operations. The Project Site is not within a Williamson Act preserve or a Farmland Security Zone (Minnick 2006). The Project consists of a generation production facility on an IID Property site with the existing Niland Substation and therefore will not result in a change of land use. The operation of the Project is not expected to result in an inflow of workers to Imperial County. IID will employ up to two additional workers; thus, the population increase will be insignificant. As a result, the impact on recreational facilities would also be insignificant and will not likely result in any increased measurable demand on area facilities or services. Therefore, any immigration of workers that might occur as a result of the Project is unlikely to have any indirect impacts that affect existing or planned land uses.

6.2.2.4 Consistency with Existing Land Use Plans, Policies, and Regulations

The Niland Urban Area Plan includes a description of existing utilities and land uses. Because the Project is not currently an existing utility within Niland, Imperial County has requested an update to the Niland Urban Area Plan to include the Project. IID will be submitting a proposed update to the Niland Urban Area Plan in June 2006 to ensure consistency into the future with respect to the most recent land use changes.

The current Imperial County zoning designation at the Project Site is M1U. Fossil fuel-powered generators primarily intended for energy production are allowable uses within the M1U district, subject to a CUP. The Project complies with all the applicable development standards (lot and yard requirements) set forth in the Land Use ordinance for the M1U zone. Therefore, the Project is consistent with all agency plan objectives for the area, including the Imperial County General Plan and the more specific Niland Urban Area Plan.

6.2.3 Cumulative Impacts

According to the Imperial County planning staff, no planned or proposed developments in the area would generate cumulative land use impacts (Cabanilla 2005). Imperial County planning staff identified no other industrial or commercial projects in the Project's vicinity.

The majority of new environmental impacts in the region, in which the Project is located, stem from rapidly expanding residential development and associated transportation and circulation. The operation of the Project will not have a significant impact on residential growth or transportation. Approximately two additional employees would be required to operate and/or maintain the Project. It is expected that these employees will be drawn from the local Imperial County employment pool. Thus, the Project will not result in either relocating new employees to the Niland area or in new employees commuting to the Project from outside of Imperial County. The Project's impacts with regard to land use planning and public policy would be minimal, and thus, there are no significant cumulative impacts.

6.2.4 Laws, Ordinances, Regulations, and Standards

The Project will operate in accordance with all LORS applicable to land use. These LORS are discussed below and identified in Table 6.2-2, Zoning Designations within the Affected Environment. Table 6.2-6, Involved Agencies and Agency Contacts, provides agency contacts for the Project.

**TABLE 6.2-6
INVOLVED AGENCIES AND AGENCY CONTACTS**

Agency	Contact/Title	Telephone
Imperial County Planning and Development Services 801 Main Street El Centro, CA 92243	Jurg Heuberger, AICP Planning Director	(760) 482-4310
	Richard Cabanilla Planner IV	(760) 482-4313
Imperial County Department of Public Works 155 South 11 th Street El Centro, CA 92243	Frank Fiorenza, PE Acting Director	(760) 482-4462

Coordination with the Imperial County Planning and Development Services, in consultation with the Planning Commission, will be necessary to secure a CUP and a General Plan amendment. An amendment is generally a change to the General Plan that is restricted to a specific geographical area or to a specific purpose within one or more element (Imperial County Planning and Development Services 2005). A General Plan Amendment is required for the Niland Urban Area Plan. IID expects to begin the process for the CUP in June of 2006 once the CEC has completed the Final Initial Study. The General Plan Amendment will be submitted at the same time as the CUP.

6.2.5 Permits Required and Permit Schedule

Table 6.2-7, Summary and Schedule for the Required Land Use Permits, provides a summary and schedule for the required permits.

**TABLE 6.2-7
SUMMARY AND SCHEDULE FOR THE REQUIRED LAND USE PERMITS**

Responsible Agency	Permit/Approval	Application Schedule
Public Works	Encroachment Permit	90 days prior to construction
Imperial County Planning/Building Department	Grading and Drainage Permit	30 days prior to construction
Imperial County Planning/Building Department	Building Permit	30 days prior to construction
Imperial County Planning and Development Services	Major Conditional Use Permit (CUP-3)	June 2006
Imperial County Planning and Development Services	General Plan Amendment (for the Niland Urban Area Plan)	June 2006

The Project will comply with the following zoning code requirements:

Division 10, Chapter 2 General Provisions

Title 9, Division 10, Chapter 2, 91002.06 Drainage Requirements

It is unlawful for any person, firm or corporation to erect, construct, enlarge, alter, repair, move, improve, remove, convert or demolish any building, structure or facility or to install, alter, move, repair, or replace or cause to be installed any plumbing, natural gas or drainage work or any fixtures or water heating equipment or electrical equipment within the unincorporated areas of the County of Imperial without first obtaining a permit.

Title 9, Division 10, Chapter 10, 91010.00 Grading Requirements

No person, firm, association, corporation or organization except public entities and their officers, employees or contractors who are performing work within publicly owned rights-of-way, shall, within the unincorporated territories of the County of Imperial, do any grading, excavation or earthwork construction without having first obtained a permit therefore from the County Engineer.

Title 9, Division 2, Chapter 3, 90515.02 Conditional Use Permit

A Conditional Use Permit is a permit issued to a landowner allowing a particular use or activity not allowed as a matter of right within a particular zone. A major conditional use permit is required for a project whose total developed value is greater than \$1 million.

Title 9, Chapter 15 Manufacturing Light Industrial

Section 90515.02 Uses Permitted with a Conditional Use Permit. Includes major facilities relating to the generation and transmission of electrical energy, provided such facilities are not, under state or federal law to be approved exclusively by an agency or agencies of the state and/or federal governments and provided that such facilities shall be approved subsequent to coordination and review with the Imperial Irrigation District for electrical matters. Such uses shall include, but not be limited to, the following:

- a. Electrical generation plants (less than 50 MW).

- b. Facilities for the transmission of electrical energy (100-200 kV).
- c. Electrical substations in an electrical transmission system (500 kV/230 kV/161 kV).

Section 90515.04 Minimum Lot Size. The minimum lot size requirement in the M-1 zone, is 10,000 square feet.

Section 90515.06 Yards and Setbacks. Yards and setbacks in the M-1 zone are as follows.

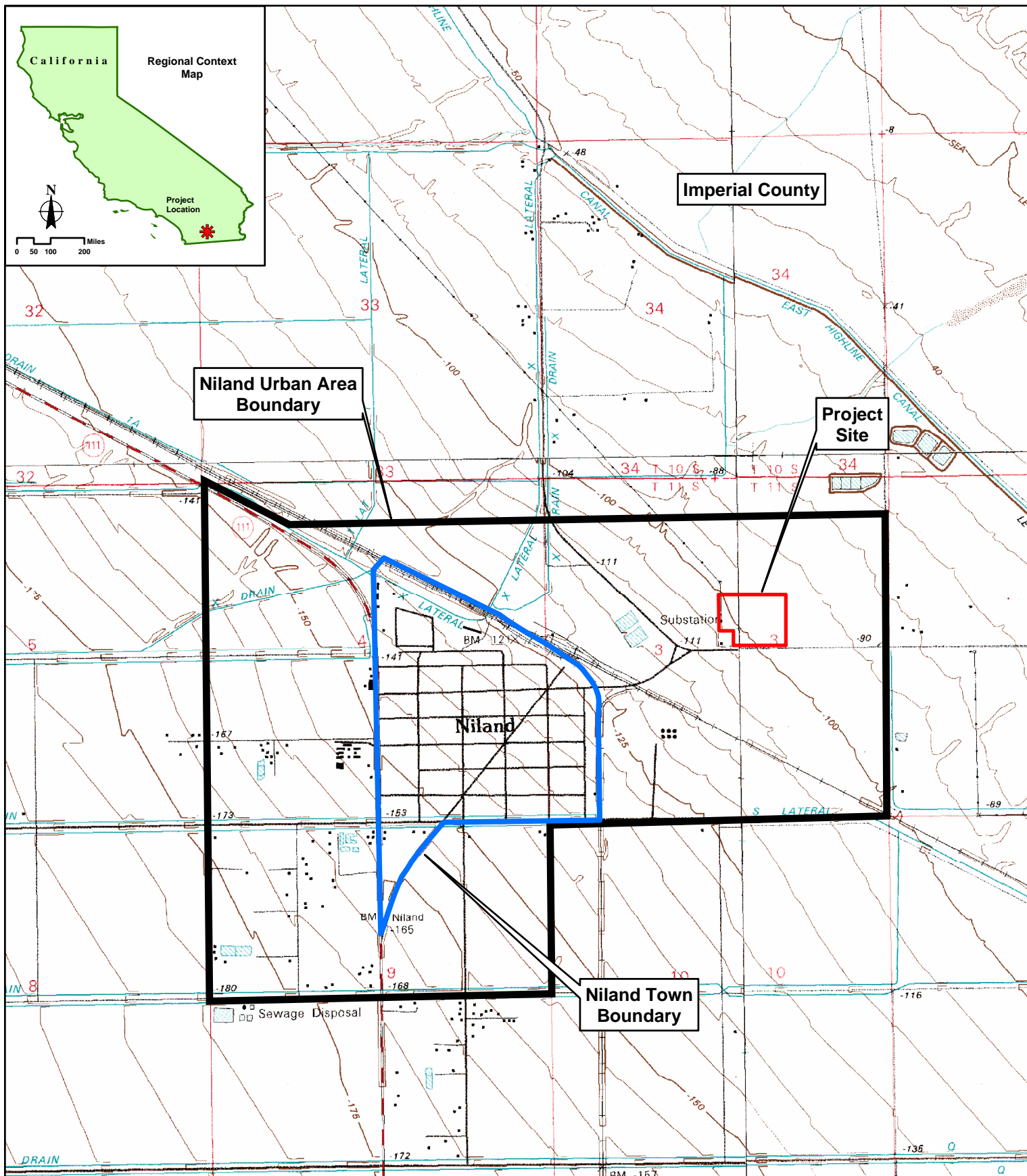
- A. Front yard. The front yard minimum setback for all buildings shall be as follows.
 - 1. Ten (10) feet from the property line or public right-of-way line.
 - 2. Zero feet if approved by the planning director with the written concurrence from the public works department and the fire marshal. In no case shall buildings be located in the right-of-way or on the property line, unless it meets the latest edition of the Uniform Building Code.
- B. Side yard. None required.
- C. Rear yard. None required.

Section 90515.07 Height Limit. Buildings and structures in the M-1 district shall not exceed six (6) stories or eighty (80) feet.

Section 90515.08 Minimum Distance Between Structures. There is no requirement for a minimum distance between structures in the M-1 zone, except that required by the Uniform Building Code.

6.2.6 References

- Cabanilla, Richard. 2005. Imperial County Planning and Development Services. Personal conversation.
- California Energy Commission (CEC). 2000. *Practice and Procedure & Power Plant Site Certification Regulations*.
- California Environmental Quality Act (CEQA). 2004. *Guidelines for the Implementation of the California Environmental Quality Act*.
- Imperial County Planning and Development Services. 2003. *General Plan*.
- Imperial County Planning and Development Services. 2005. *Zoning Ordinance*.
- Minnick, Jim. 2006. County of Imperial Planning and Development Services. Personal conversation and e-mail.
- Ortiz, Manuel. 2005. County of Imperial Department of Public Works. Personal conversation.
- Southern California Association of Governments (SCAG). 2005. *Southern California Population, California*.
- Townsite of Niland. Imperial County Planning and Development Services. 1996. *Niland Urban Area Plan*.
- U.S. Census. 2005. www.census.gov. *Table P87 Poverty Data*



Governmental Jurisdictional Boundaries Map

Niland Gas Turbine Plant
Imperial Irrigation District

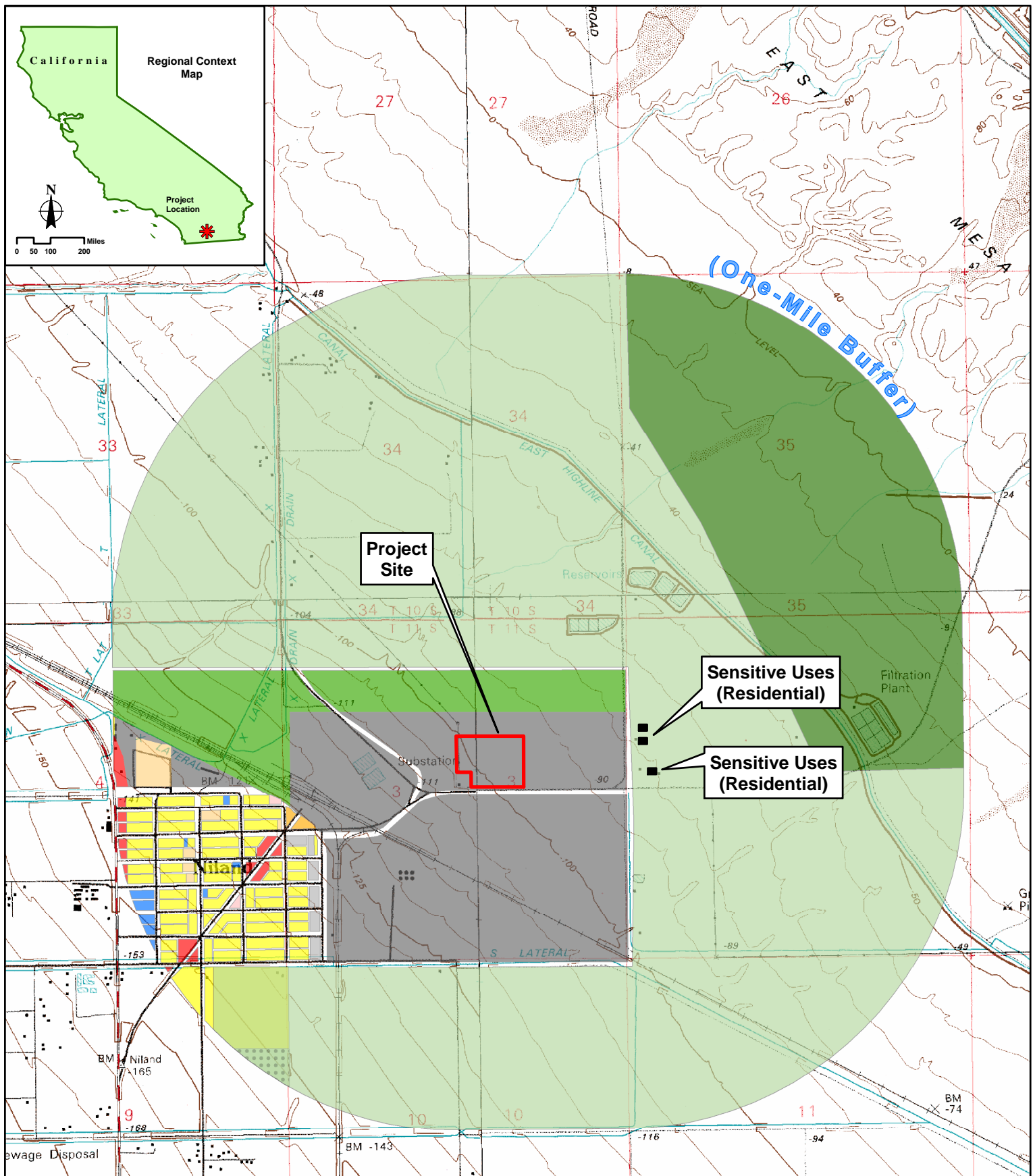
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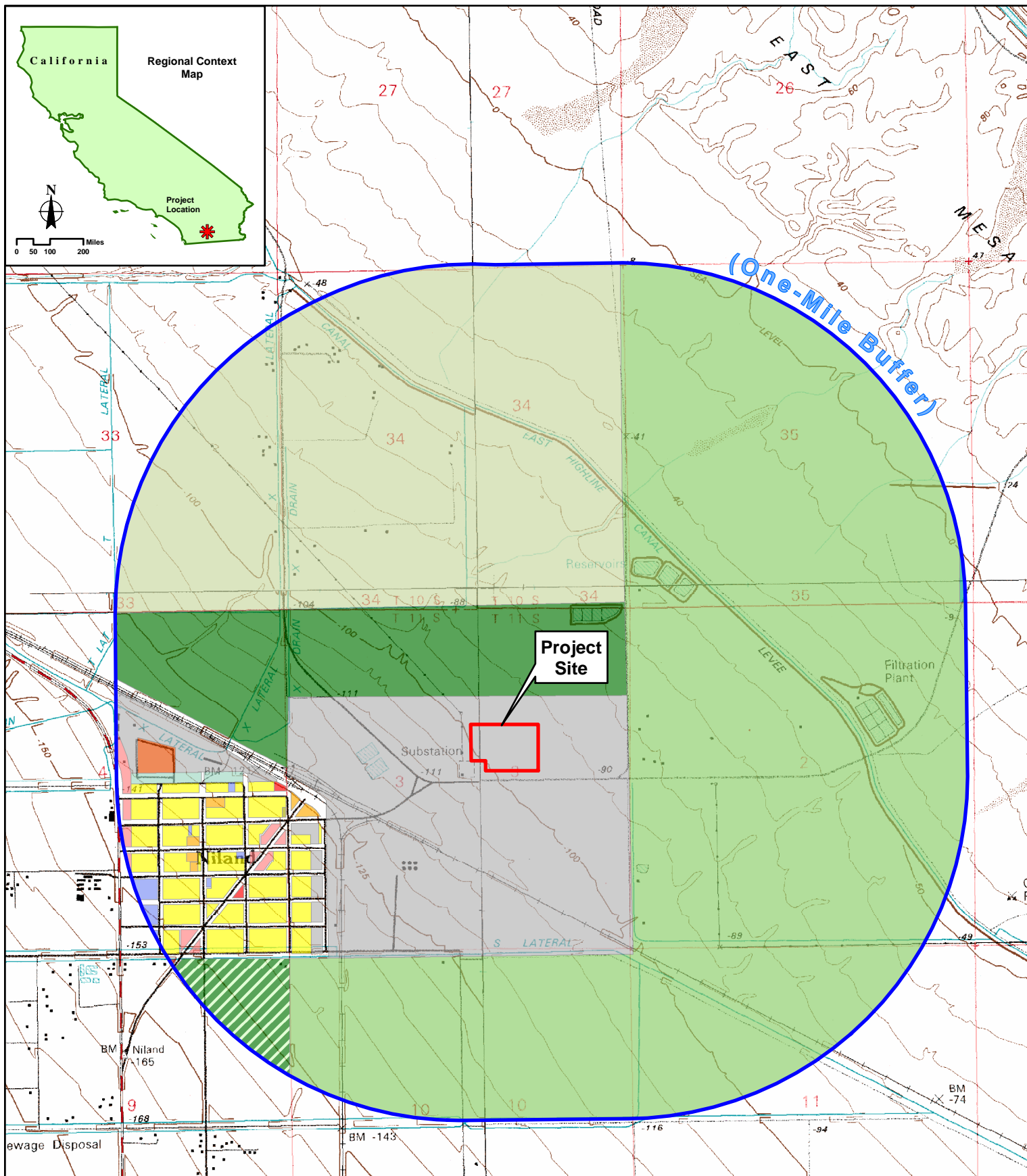
FIGURE 6.2-1

0 1000 2000 Feet



SOURCES:
USGS 1:24,000 Scale Quads, various dates
Imperial County Comprehensive Plan, 2000





Legend

	A1U		C-2		R-2
	A2		C2U		R-4
	A2G		GS		R4U
	A2U		M-1/M-1U		S-1
	C-1		R-1		S2

0 1000 2000 Feet



SOURCES:
USGS 1:24,000 Scale Quads, various dates
Imperial County Zoning, 2005

Zoning Map

Niland Gas Turbine Plant
Imperial Irrigation District

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FIGURE 6.2-3

